



State of Florida
Department of Children and Families

Rick Scott
Governor

Esther Jacobo
Interim Secretary

Vicki Abrams
Regional Managing Director
Northwest Region

March 21, 2014

CERTIFIED MAIL [REDACTED]

Michael and Andrea Short
[REDACTED]

Re: Foster Home License Revocation

Dear Mr. and Mrs. Short:

This letter is to notify you that the Department of Children and Families has reviewed your licensing file and made a determination to revoke your license based on the concerns raised by FamiliesFirst Network's Foster Home Development staff and the Family Services Counselors who have been assigned to children placed in your foster home.

Based on the documentation reviewed, it has been determined that this decision is appropriate based on the following from Florida Administrative Code 65C-13:

65C-13.027 Changes During the Licensed Year.

(1) Requirements.

(a) The licensed out-of-home caregiver shall report law enforcement involvement with any household member. Law enforcement involvement includes arrests, incidents of domestic violence, driving infractions and any local law enforcement response to the home over the course of the licensed year. . . . Failure to do so may be reason to suspend, deny or revoke a license if the non-reported situation threatens the safety or well-being of any child in care or results in the non-conformity with licensing requirements stated in this rule.

Information obtained by Foster Home Development Licensing Staff indicates between May 10, 2013 and June 6, 2013, 18 law enforcement calls were made to your home, three of which were family disturbance reports.

65C-13.029 Licensed Out-of-Home Team Member Roles.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

(n) Family Care Activities.

5. Discipline.

a. Licensed out-of-home caregivers shall discipline children with kindness, consistency, and understanding, and with the purpose of helping the child develop responsibility and self-control.

b. Licensed out-of-home caregivers shall use positive methods of discipline. Acceptable methods of discipline are reinforcing acceptable behavior, expressing verbal disappointment of the child's behavior, loss of privileges, grounding, restricting the child to the house or yard, or sending the child out of the room and away from the family activity; and redirecting the child's activity.

c. Licensed out-of-home caregivers shall not subject children to cruel, severe, or unusual forms of discipline.

e. Licensed out-of-home caregivers shall not delegate discipline or permit punishment of a child by another child or by an adult not in a caregiver role.

f. Licensed out-of-home caregivers shall not withhold meals, clothing, allowance or shelter as a form of discipline.

i. Licensed out-of-home caregivers shall not threaten a child with removal from the home or with a report to authorities as consequences for unacceptable behavior and shall not prohibit visitation with family and significant others as punishment.

Information obtained by Foster Home Development Licensing Staff indicates you used inappropriate disciplinary methods for children placed in your care.

As punishment for running away, fighting and an arrest, you made a child placed in your care take firewood from one side of your house and throw it over a fence in the backyard. You woke the child up at 6:00 a.m., although the child had just returned to your home at 3:00 a.m. that morning after a runaway episode. You had another adult, Mr. Charles Williams, supervise the punishment. You required this inappropriate and strenuous activity from a child who was recovering from a medical procedure. The child became ill, including vomiting and chills, and had to be taken to the hospital emergency room by her Family Services Counselor.

Mr. Williams indicated you asked him to have another child go to his home to stack wood as punishment for running away. Other children reported you made them pull weeds repeatedly as punishment.

A child who had been placed in your home reported a child in care was forced to eat the same food for breakfast, lunch and dinner as punishment for not eating her meal one evening. The child stated it took the other child almost two days to eat it all.

Children who had been placed in your home reported you yelled and cursed at them. Several children reported they were upset when observing your treatment of your adopted son. The children reported you yelled and cursed at your son and forced him to eat food that had been blended with cod liver oil, hot sauce or Geritol added as punishment. Observing this was emotionally traumatic for the children and is a cruel form of punishment for your child.

Children who had been placed in your home reported they were only allowed to drink water during the day. They stated you have strict rules regarding meal times, which include that everyone must stay at the table until all are finished eating, and all the food put on their plates must be completely eaten.

Some of the children reported you did not permit them to call their counselors or parents, and that you would threaten to have them removed from your home when you were angry with them.

65C-13.030 Standards for Licensed Out-of-Home Caregivers.

(3) Physical Environment.

(h) Interior Environment.

5. The home shall be clean and free of hazards to the health and physical well-being of the family.

Numerous children who had been placed in your home, licensing and case management staff, as well as a home visiting teacher, reported your home reeked of cat urine and that cat litter boxes were placed in all of the bedrooms in your home. Several of the children, and licensing and case management staff, report receiving flea bites while in your home. One child stated you would have the children clean up the house and spread odor powder when you knew someone from the Department or FamiliesFirst Network was coming to your home. Staff reported the carpets in your home were stained and cat feces were observed on the carpet in one of the bedrooms used by children in care.

65C-13.035 Administrative Actions, Appeals and Closures.

(2) Documentation Requirements Prior to Administrative Action.

5. The licensing staff's efforts to help the licensee to come into compliance;

Your foster home was originally licensed through the United Methodist Children's Home April 28, 2008. In May 2013 you transferred your foster home license to Lakeview Center Inc., FamiliesFirst Network.

During the time you were licensed through the United Methodist Child's Home you were placed on two action plans to address concerns regarding the cleanliness of your home and disciplinary methods you used for children placed in your care. This shows a pattern that continues to occur and your continued failure to adhere to the licensing rules.

After your foster home license was transferred to Lakeview Center Inc., FamiliesFirst Network, you completed training to become a Matrix foster home. Matrix foster parents receive specific training designed to enhance foster parents skills to manage behaviorally challenging children with positive parenting techniques. In spite of this training you continued to utilize inappropriate and unauthorized discipline methods.

IF YOU BELIEVE THE DEPARTMENT'S DECISION IS IN ERROR, YOU MAY REQUEST AN ADMINISTRATIVE HEARING TO CONTEST THE DECISION. YOUR REQUEST FOR AN ADMINISTRATIVE HEARING MUST BE RECEIVED BY THE DEPARTMENT WITHIN 21 DAYS OF YOUR RECEIPT OF THIS NOTICE. FAILURE TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE 21 DAYS PROVIDED SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING.

You may submit your request for an administrative hearing to the Department at the following address:

Assistant General Counsel
Florida Department of Children and Families
160 Governmental Center, Suite 601
Pensacola, Florida 32502-5734

Please note that a request for an administrative hearing must comply with section 120.569(2)(c), Florida Statutes (2013), and Rules 28-106.201(2), Florida Administrative Code. Those provisions, when read together, require a petition for administrative hearing to include:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;

- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material facts. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

Section 120.569, Florida Statutes, and Rule 28-106.201(4), Florida Administrative Code, require that a petition be dismissed if it is not in substantial compliance with the above requirements.

Your request should contain:

1. Your name and address;
2. A statement requesting a hearing and referencing this letter (denying your approval for licensing as foster parents);
3. A statement of all disputed issues of material fact, and if none, then so state. Pursuant to Section 120.57, Florida Statutes, the existence of a disputed issue of material fact entitles you to a formal hearing. If there are no disputed issues of material fact, the hearing will be informal. If you desire a hearing, please complete the attached request;
4. A concise statement of the ultimate facts alleged and the rules and statutes upon which you rely to support the relief you request;
5. A demand for the relief to which you are entitled; and
6. Such other information which you believe would be material.

Your failure to request a hearing in the time allowed will operate as an admission by you to the accuracy, authenticity and correct maintenance of the Department's records. **YOUR FAILURE TO REQUEST A HEARING WITHIN TWENTY-ONE (21) DAYS OF RECEIPT OF THIS NOTICE WILL ALSO RESULT IN A WAIVER OF YOUR RIGHT TO SUBSEQUENTLY REQUEST A HEARING ON THIS MATTER.**

Mediation as described in Section 120.573, Florida Statutes, may be available if agreed to by all parties, and on such terms as agreed to by all parties. The right to an administrative proceeding is not affected when mediation does not result in a settlement.

Sincerely,

A handwritten signature in blue ink that reads "Kathi Perkins Guy". The signature is written in a cursive style with a large, stylized "G" at the end.

Kathi Perkins Guy
Northwest Region Family and Community Services Program Manager

Enclosure:



REQUEST FOR ADMINISTRATIVE HEARING

Petitioner's Name: _____

Petitioner's Name: _____

Petitioner's Address: _____
(include zip code) _____

Petitioner's Telephone Number: _____

Petitioner's E-Mail Address: _____@_____

Name, Address, Telephone Number and E-Mail Address of Petitioner's Attorney or Representative, if any:

Telephone: _____

E-mail: _____@_____

Petitioner received notice by letter on _____ advising of the right
to request an Administrative Hearing regarding the _____

State Agency's Name:

Department of Children and Families, Circuit 1

State Agency's Address:

160 Governmental Center, Pensacola, FL 32502-5734

Check One: Petitioner _____ **DOES** _____ **DOES NOT** dispute the facts upon which the Agency
relied on in making its decision.

If Petitioner disputes the facts as stated by the Agency, the facts in dispute must be listed below:

If Petitioner disputes the facts upon which the Agency relied, Petitioner must state the facts as Petitioner believes them to be:

Explain how Petitioner's substantial interests are or will be affected by the Agency's decision:

Petitioner wants the Agency to take the following action in this matter:

Petitioner's Signature

Date

Petitioner's Signature

Date

(Attach additional sheets if more space is needed.)

Check one: Additional sheets ____ **are** ____ **are not** attached. If so, how many pages? _____